

**DECLARATION OF MARK RAMIREZ**  
**Pursuant to 28 U.S.C. § 1746**

I, Mark Ramirez, have personal knowledge of the facts and matters set forth below. If called as a witness, I could and would testify as follows:

1. My name is Mark Ramirez. I am over the age of 18 and reside in Houston, Texas.
2. In approximately Fall 2023, I saw a TikTok video about a company called FBA Machine and the owner, Steven Rozenfeld. The company managed third party e-commerce stores on Amazon for its clients. It was a way for me to make passive income by selling items on Amazon. I was able to reach out to the company through the video and asked for more information. I received some information from a sales agent and watched some videos on youtube about FBA Machine. I had a google meet call and the sales agent went through a slide show with me. One slide said that FBA Machine “guarantee[s] our team will get your store to \$10k in 90 days or else we continue working for free until you do.” Another slide explained that this was a “Done For You” program which meant FBA Machine would do all the work running the Amazon store and I would be able to make passive income. Attached as **Attachment A** is a true and correct copy of screenshots from this slideshow and call.
3. The sales agent asked how much I could afford and I said I had about \$7,000 to spend on the business opportunity and another \$5,000 I could spend on inventory. The sales agent said that was fine and that I could make three monthly payments. One line that stuck with me and convinced me to sign up was that I would not be charged any virtual assistant fees until I got to \$10,000 in profit. The virtual assistants run the stores.

4. The sales agent also went over the profit I could earn. I was told that I would be profitable in month one and I could use that profit to pay for my second monthly payment for the initial fee.
5. I signed up in approximately October 2023 and signed a contract with FBA Machine. I paid the fee with my credit card.
6. I never received any document from FBA Machine with any information substantiating its earning and profit claims made in conversations with the sales agent. I also never received a document from FBA Machine telling me whether the company (or any associated companies) has been subject to legal action or a list of consumers who purchased their services in the past 3 years.
7. I did not make any profits before I had to make my second payment. I also had to pay an additional \$200 per month for a virtual assistant. This person did not do very much and was difficult to reach. I would not be able to reach the person for a week at a time. I ended up having to limit how many hours the person could work too because I was not making any profit to pay the virtual assistant. The virtual assistant had an email address with the company name "hourly relief."
8. In addition, I had to pay \$99 per month for a subscription for sales support software. This is a tool that I was supposed to use, but I was not profitable, and I did not want to pay a monthly fee for it even though it was required.
9. During the sales process I was led to believe that I would not have to pay the virtual assistant fees until I received \$10,000 in profit. However, I learned after I purchased that it was until I made \$10,000 in sales. I never made any profit.

10. I had a few calls with Steven, the CEO of FBA Machine. He made me feel more comfortable with how the business was going and he explained why I was not profitable, but how my store had the potential to be profitable.
11. Because I lost so much money, Steven said he would change up the strategy and buy items at a heavier discount, but I don't believe this happened and I still just kept losing money.
12. I've spent approximately \$30,000 so far and I have made \$24,000 in sales since October 2023. I have had zero profit. I have to cover the costs of the inventory and then pay sales support monthly, shipping fees, and Amazon fees. I put approximately \$23,000 on an American Express card to pay for inventory. I bought into Steven's story that if I keep on purchasing more inventory, I will eventually make a profit. I haven't seen a winning strategy yet.
13. My American Express card is maxed out and I am left with debt and losses.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 15, 2024  
Houston, Texas

  
Mark Ramirez

Q Photos, People, Places...

